

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

HARRY L. OLIVER	§	
v.	§	CIVIL ACTION NO. 9:07cv118
COMMISSIONER, SSA	§	

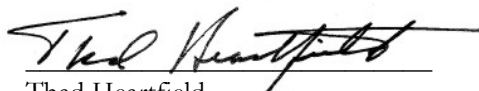
ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed with prejudice pursuant to Fed.R.Civ.P. 12(b)(6) because it was not timely filed. To date, no written objections have been filed.<sup>1</sup> The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court.

In light of the foregoing, it is

**ORDERED** that the Commissioner's Motion to Dismiss (document #10) is **GRANTED** and the complaint is hereby **DISMISSED** with prejudice. Any motion not previously ruled on is **DENIED**.

**SIGNED** this the 10 day of **October, 2007**.

  
Thad Heartfield  
United States District Judge

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<sup>1</sup>On September 4, 2007, Plaintiff's Motion for Extension of Time to File Objections to Magistrate's Report and Recommendation was granted and Plaintiff's deadline to file written objections was extended to September 28, 2007.